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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Office of Petitions
Commissioner for Patents
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Suzanne O'Leary
Signature
8-29-07
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Inventors: KASSAB, Ghassan S., et al.
Serial No.: 10/782,149
Filing Date: February 19, 2004
Title: SYSTEM AND METHOD FOR MEASURING CROSS-SECTIONAL AREAS AND PRESSURE GRADIENTS IN LUMINAL ORGANS
Assignee: Electro-Cat, LLC
Group Art Unit: 3736
Examiner: SZMAL, Brian Scott
Our File No.: P01568-US-01 (26259.0010)
09/30/2007 CKP/LCK 00000004 090007 10782149

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PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 CFR 1.313(c)

Pursuant to 37 C.F.R. § 1.313, Applicant hereby respectfully petitions to have the above-referenced application ("Application") withdrawn from issue. Enclosed herewith is a Request for Continued Examination in compliance with 37 C.F.R. § 1.114, as well as an accompanying Information Disclosure Statement with references. Therefore, Applicant respectfully requests

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withdrawal of the Application from issue and consideration of the enclosed Request for Continued Examination. *See* 37 C.F.R. § 1.313(c)(2).

Although the Application has been allowed and Applicant paid the issue fee, Applicant recently became aware of a European Search Report and an International Search Report issued with respect to related applications having different claims than those currently pending in the Application. Each of the references listed on the enclosed Information Disclosure Statement was cited in one of the search reports. Although the search reports were issued just before payment of the issue fee, Applicant's current U.S. counsel did not become aware of the search reports until after payment of the issue fee. Therefore, Applicant respectfully requests that the Application be withdrawn from issue, that the references disclosed on the Information Disclosure Statement be considered pursuant to 37 C.F.R. § 1.97, and that the Application again be allowed.

Applicant authorizes the filing fee for the petition for withdrawal from issue (\$130), as well as the small entity filing fee for the enclosed Request for Continued Examination (\$395), to be charged to Deposit Account No. 09-0007. Applicant does not believe that any additional fees are due. However, please charge any fee deficiency, or credit any fee surplus, to the same deposit account. When doing so, please reference our file number listed above. Should there be any problem with the present petition for withdrawal from issue or request for continued examination, the Examiner is respectfully requested to call the undersigned at the telephone number listed below.

Respectfully submitted,

ICE MILLER LLP



Gregory A. Duff

Registration No.: 57,507

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Enclosures: Request for Continued Examination Transmittal (2 copies)
Information Disclosure Statement
EP 1 025 805 A1
WO 03/092495 A1

cc: Ghassan S. Kassab



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FROM: Greg Duff TELEPHONE NO.: 317-236-5827

SUBJECT: PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 CFR 1.313(c)

COMMENTS: See attached

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Examiner: SZMAL, Brian Scott

Our File No.: P01568-US-01 (26259.0010)

xx Request for Continued Examination Transmittal (2 copies)

xx Information Disclosure Statement

xx EP 1 025 805 A1

xx WO 03/092495 A1

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